

App. No. 09/005,479

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#37
LDJ
1-20-04

Applicant(s): Levergood et al.
Appl. No.: 09/005,479
Conf. No.: 2543
Filed: January 12, 1998
Title: INTERNET SERVER ACCESS CONTROL AND MONITORING SYSTEMS
Art Unit: 2155
Examiner: Patrice L. Winder
Docket No.: 113948-023

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Technology Center 2100

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This Response is submitted in response to the Office Action dated October 8, 2003.

The present remarks are in response to the office action entered in the above identified case and mailed on October 8, 2003. Claims 3, 5-26, 31-43, 49-63, 67-93, 98-98, 100-106, and 108-115 are pending in the application. Claims 3, 5-6, 3-15, 17-21, 23, 32, 35-38, 49-54, 56-63, 67-75, 77, 79-93, 101, 102, 104, 106 and 112-115 were rejected under 35 U.S.C. §102(a) as being anticipated by José Kahan, A Capability Based Model For The World Wide Web (Kahan). Claims 7-12, 22, 24-26, 31, 33, 34, 39-43, 55, 76, 78 and 108-111 were rejected under 35 U.S.C. §103 as being unpatentable over Kahan in view of U.s. Patent No. 5,347,632 to Filepp et al.

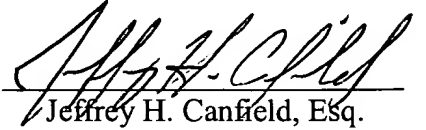
According to the form PTO-892 entered by the Examiner on February 14, 2000 the Kahan reference was published in April of 1995. A specific date is not given.

Attached to the present response is an affidavit made by George Winfield Treese, one of the inventors named in the present application. In the affidavit Mr. Treese having been duly sworn states that the invention described and claimed in the present invention was conceived and reduced to practice prior to April 1995. Thus, even if Kahan disclosed the invention claimed in the present application, the article was not published in this or a foreign country before the date of invention by the Applicant. Accordingly, Kahan may not be considered prior art for purposes of 35 U.S.C. §102(a) or §103(a) against the present application. All of the pending claims are

allowable over the art of record. Applicants respectfully request that the Examiner withdraw the rejections based on Kahan and move the application to issue.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Jeffrey H. Canfield, Esq.

Reg. No. 38,404

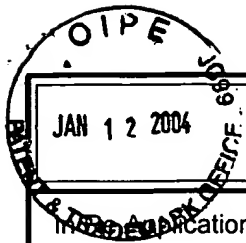
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Dated: January 8, 2004

2155



JAN 12 2004

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
113948-023

Inventor Application Of: Levergood et al.

Serial No.	Filing Date	Examiner	Group Art Unit
09/005,479	01/12/1998	Patrice L. Winder	2155

Title: **INTERNET SERVER ACCESS CONTROL AND MONITORING SYSTEMS**

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TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Response to Office Action (2 Pages); Affidavit of George Winfield Treese (2 Pages); and Return Receipt Postcard.

in the above identified application.

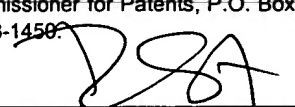
- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below.
 - ☐ Charge the amount of _____
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.



Signature

Dated: **January 8, 2004**

Jeffrey H. Canfield (Req. No. 38,404)
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I certify that this document and fee is being deposited on Jan. 8, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
	
Signature of Person Mailing Correspondence	
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